

CALFED Bay Delta Program  
1416 Ninth St. Suite 1155  
Sacramento, CA 95814

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Subject: EIR-EIS Commentary

Much of this commentary summarizes my oral statements, however there are some additions as I attempted to focus here on the mnemonic of the 5 H's but also added some, which will have page number references. Most will consist of mitigation possibilities rather than disagreements, and are hypothesis are stated which staff will have to disprove. For example:  
Water Quality; try substituting ozone for chlorine to reduce bromides.

I am not a chemist, nor a typist; you will soon see TC syndrome in action.

#### Negative externalities

Much of what I propose will be over the lifetime of the program. I also propose contingency planning and some input on policy setting. I am proposing two internal structures:

A body to oversee the external and internal environments by liaising with the salmon initiative Fisheries Canada etc. to save wheel reinvention and note the external problems and successes.

An interdisciplinary body to monitor project progress or failure and compliance with programs such as conjunctive use. Don't depend on underfunded like the NRCS agencies to do.

compliance. RCDs, being local, often know where the bodies are being buried, and, if not packed, can be more efficient and produce less resentments than outside agencies.

RFPs should not have to slavishly possess an educational component, nor structured to have iffy proposals gain enough points to advance over more solid ones.

#### Preferred alternative

Might as well get to the most important point first. The envelope reads that the preference is to proceed from 1 to 3 progressively. I even add some fillifs to the third but do not believe it should be a focal point until restoration and conservation are enacted; It could take on a life of its own and overshadow the holistic approach being sought. It could be the "magic bullet" that gives a reason to shun conservation in the public's eye. Because of the time lag to accomplish the third alternative, restoration and conservation immediately commenced will forestal crisis. The final alternative will gain more support once other strategems are tried and these strategems make the whole state stakeholders.

Those projects, such as levee and earthen dam repair, are safety issues and, hence, of highest priority.

#### Funding; with conservation as a conjunctive goal

I would eliminate ag subsidies, but be generous in discounts for conjunctive uses which provide a direct public benefit- recharge, habitat, recreation etc.

Passing ag costs to urban benefit zones tax increases is counter to conservation. Screw urban separately. I desire the term screw, while allowing the urban resident the ability to descrewify(?) himself. A good incentive to replant the front yard is to screw the government out of a tax.

Tiered urban, as well as ag, pricing can promote conservation and fund watershed projects.

Since the object is revenue neutrality, projects will have to be chosen wisely.

Basin pumping tax on electricity or solar panels and transfer fees interbasin and out of basin and for paper transfers. need not be extortionate but depend on accrueability. However, it may be decided to make them high enough to preserve the aquifers by price equability to water purchase.

Bob May

Feb May

#### Levee

As previously noted, levee safety is a prime concern, therefore swales between new and old levees probably do not have enough habitat value to offset the danger to levee integrity.

I propose occasional sections to allow overflow without washing out. Pump dredge spoil to current riprap. At current levee height, set culverts/Arizona bridge into new levee. Riprap as energy dissipators at the outlets. Locate at fields and away from structures. Culverts can be used for wildlife and pipe passage. Toss snakes into riprap for biodiversity, rodent and vagrant control and as prey.

Dredging is probably more a when problem than an if problem when contemplating turbidity vs cooling, orienting etc.

Bendway weirs can aid scour and decrease erosion by wind and wave.

#### Lacustrine (hydro)

Turn Lake Redbluff into an artificial oxbow lake to extend the recreational use and to keep migrating fish out.

Delta offstream would be better of a large size because of its shallowness. It should be more marsh than lake. It will be anyway, and acceptance will decrease the O&M budget. The shading and veg will break up the fetch and decrease erosion and evaporation over and above any ET loss. Filtering could allow for tertiary treatment of local towns' sewage. This facility should have intertie with others such as the Hetch Hetchy Canal etc. to allow the option of their being diverted into the SJ river systems and orient migrating fish.

#### Upstream

New construction on feeder streams may be preferred to raising the current dams such as Shasta or Friant and Pine Flat. In canyons, they may have less surface to pool ratio to have less evaporation loss. Being above present dams, most impacts may already have occurred.

Current earthen dam pools can be enlarged to the veg edge by dam rectification.

In lieu of instream mining, allow gravel pits next to river for offstream storage in an alternating manner. This is better than the riparian recharge and recovery by pump plan proposed.

Pumping from the river to an aquifer alters the hydrology and ofstream temporary ponds are cheaper and provide more riparian habitat.

#### Hypoxia

Hydro projects should have spillways designed to reoxygenate the water from the pools

I notice insufficient mention of hypoxia on the delta and its fish and prey species.

Hypoxia is a deficiency of the delta as well as its EIR.

#### More hydro.

Gorges should not be altered to allow oxygenation. It's not cost effective to save fish that have been negotiating them for eons.

Dams, such as Saeltzer, should have their pool sediment analyzed for toxics for proper disposal and for minerals that could fund their removal. They could often be readily and cheaply replaced by a pipe and riser, which has its debris collar screened on the bottom.

#### Hatcheries:

Small dams and weirs should not be entirely be removed, but have a foot or so remaining to hold in introduced gravel to create an artificial spawning area.

#### Riverine

Bendway weirs not only define the thalweg & flow for fish but also provide edge feathering and backwater respite.

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## HABITAT

### Montane

A caveat that there is opposition among many New Age cultist/ control freak types against any restoration and their agenda is to actually controll access for harvest, recreation, restoration and grazing. Thus, road decommissioning with these goals can increase brush thickets and runoff. In lieu of the tank trap berm and bale or rip and monitor natural succession, it would be best to remove the unnatural understory and replace it with a grass base to fend off the brush return. On the way out, the roads can be ripped and chipped. A chip covering would mitigate erosion. Replanting should occur on the roads. Grazing must be prescribed to keep the grass healthy, and would have to be cows as tofus just don't work. Hunting elimination by the end of the program's span, could effect the environment; either allowing brush return or a vegetation kill as happened on the Kaibab Plateau. To summarize, an economical objective would be to achieve that level of forest management and maintenance practiced by the Native American's but which envircists deny occuring because of the NA's being too dumb, yet hopefully pliable.

Creeks are at risk in the interface as people move from the urban areas and take their lawns and fire prone practices with them. Here again a basin pumping tax on electricity, solar cells or drilling permit becomes appropriate. Retardant should be mandated on new construction and retrofit spray and fire wise planting encouraged. This also holds true for....

### Urban Conservation

These practices show the effects of negative external factors.

Loans need not be guaranteed for housing not meeting conservation standards

Insurance should be returned to pre rip off classifications of rewarding for fire safety, rather than gigging one and all.

Municipalities and districts are bad offenders as they have no economic incentive to perform wisely.

Block grants should be withheld from profligate cities and districts

Counties into " zoning for dollars" of prime soils which add houses to ag which must use more water in saline soils, should not, in fairness to counties which are attempting sanity, be given grants, subsidies or subventions. Their supervisors should be excluded from PERS. No gas or sales and school tax should go to watering high water using medians, non athletic use lawns, and other frivolous uses.

No meters? well folks your elected officials have elected for you to pay at the top tiers. This will either cause a drop in tiers or an increase in tears.

Catchment of flood waters, recharge and reuse should continue to be encouraged and reused. It should be noted that some of the worst water conservation offences occur in the Great Valley. Land use protocols ought to be established by the State. This lets local pols off the hook with their contributors. It is more localized than haveing decisions made by out of state concerns.

### Valley Habitat

Therefore, Land retirement of land can result in 1) increased land conversion 2) decreased restoration funding 3) cessation of anti-salinity research and practices 4) economic dislocation 5) tax loss to districts and schools

Need adaptive management to varying conditions

Some lands may be returned to salt marshes

Urban and rural tertiary provide habitat

Reversion to cows and critters provides the least impacts

Can be a part of the HCP

Suggest Grasslands RCD as the experienced lead agency from West Stanislaus RCD to the Tehachapies

Rotational retirement to allow for phytoremediation and water conservation in conjunction with long term continued production.

## HEAT

With the increase of levee mass, or their setback, with current riprap covered with spoil, this riprap can be secured with organic riprap which will shade ALL waterways while it keeps the levees free of erosion.

Lacustrine areas should be shaded. Offstream delta and other proposed impoundments should be planted prior to construction during the paper work stage. The current areas should be planted. Specifically such areas as the thermolito afterbay can be planted with deciduous trees that would lower the temperature to a point compatable with both ag and fish.

Consideration of serpentine islands is appropriate as mitigating both temp and habitat.

## Harvest

Neopuritans agendas which proscribe restoration wish to limit harvest on a recreational level. This is a New Age Catch 22.

Economic impacts of this proscription on small entrepreneurs should be determined.

As the document notes, there is a need to keep abreast of the externality of global warming.

The forgoing paragraph may be some mitigation as warming increases.

Fisheries Canada is to be contacted in these matters. USF&WS or marine fisheries are of local use.

The Marine Mammal Protection Act, which smacks of envircism as well as econrol, should be replaced with management.

## Hatcheries

Further in the San Joaquin may be considered, but only after stream restoration.

## ADDENDA

As the greatest use of urban water use is for horticulture the switch to perennial grasses, as shown by the University of Texas, will have the greatest use in conservation.

This would be enough to provide assurances while alternatives 1&2 are in progress.

Ergo, the Univerisities' ag program should aid in transferring the Texas technology to California in developing sod from these deep rooted species.

## AIR QUALITY

Assume 2.5 to be the requirement

Construction may be limited to under 100 degrees F to lower exhaust conversion to ozone

Vegetate using only those species that do not contribute to smog. Obtain list from KC

University Extension (Karlick) and publish.

Assume organics to be an air quality factor during Bay-Delta operational period.

Allergens should be factored

Cocci is also termed Valley Fever for a reason. Not even mentioned.

Along with dust, the results of water transfers and ag should be mentioned.

Conversely the effects of land retirement and fallowing should be covered.

Another externality exists in the plow down law.

Mitigations to be discussed:

Cover cropping

No till agriculture

Gypsum use in the fall rather than spring

Should protocols avoiding dust be a requirement for water recapiation or even fallowing?

## Transportation

concerned with circulation only which be effected by the new towns if fallowing occurs

Massive dust caused pileups occur during the plowdown occuring with the Santa Ana winds.

More on ...

## Public Health and Environmental Hazards

Valley Fever; though not discussed, a vaccine may occur within the first decade of the next century. Hopefully.

Importation of diseases along with alien workers. TB already skkyrocketing.

Hazardous materiels are landfilled at Buttonwillow and Kettleman Hills. They pass over the aquaduct and a spill is to be considered, especially during the aforementioned dust or fog.

Refer to the appropriate EIRs.

## Visual Resources

To assure erosion/dust mitigation following construction, as well as to assure planting growth, place top soil aside and replace it when construction is completed.

Explain this complicated procedure to Caltrans; it will save their attempting to adjust agronomy with water, and, thus, is a large conservation measure.

## A recreational opportunity

The Tule Elk Preserve now abuts the Kern Fan Recreation area and the aquaduct. It also possesses some cultural resourses. It doesn't pay its way, but could with a few signs, porta potties, portable dogrun, water piping and, of course, additional kiosks to promote:

I-5 In route camping (summer)

Water information and education

Trans-Kern bike path stop

Duck hunter camping (winter)

#### Arroyo Passajero

While water quality and cost effectiveness is the *raison d'être* for a CRIMP, air quality is also a benefit. The toxics inherent in serpentine soils would be subject to wind transport behind a debris dam or an alluvial fan. This may become a model for other CRIMPs in the coastal range.

#### Trinity River

9.1-13

Ironically, often interests of this river argue funding for administered projects to be entitlements like the recipients of water transfers from the river. Patrimony was gleefully given in the 50s.

Of major concern to Calfed is the dilution importance of this river to Iron Mt. mine toxics. Retrofit of the dam outlet would aid in sediment transport and increase the pool for transfers.

The Trinity area is dependent on recreational fishing since lumbering has dwindled. Dislocation of local workers by imported environmental workers has occurred and is an example to be considered under...

#### Environmental Justice.

RFS are often to the lowest bidder. Nepotism by blood or political correctness should be discouraged.

Legal residence should be a requirement of RFPs

Grants should also stress or mandate employment of local workers. Bacon-Davis salary provisions would put all applicants on an even footing.

#### Geology

Tulare County's historic monument of Allensworth became a ghost town near the lake because of Water Quality with arsenic a contaminant of the water supply. Migration of toxic metals, whether a product of soils or ag, as well as oil production contaminants ought to be monitored as a result of ground water recharge.

#### Historical crops

8. 1-13

The lower San Joaquin was the winter wheat capitol of the world when battling The Octopus. This was unirrigated farming, but a return to such practice may or may not work, considering the increase of salinity and farming of halophytes.

#### Economic growth and Environmental Justice

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With the cessation of water subsidies, there will occur a natural shakeout of incompetent farmers but some soil farmers may hit hard times as well as the program farmers. Labor saving may occur. There will be opposition to Calfed on this basis; whining often works political wonders.

The document fails to take into account the historical antipathy of ag to industry's wage inflation. Conversely, not noted is urban growth appreciative of open space, but not side effects.

It may be possible to mitigate by no till use and right to farm ordinances.

Environmental Justice has begotten agrarian reform disguised as water conservation measures. It, therefore, should receive more discussion.

The two tier, or de facto segregated, school systems, hinder the social mobility in the area, as Serrano vs Priest acknowledged a generation ago, and creates a base for an unstable society lacking a middle class. This externality, if it be one, must be addressed.

I would appreciate your inclusion of the issues that I have brought up, in the revision of the EIR as they may have intrinsic value, or proactive value as discussion focal points. I feel that there is value in waterfowl alignment for both biological and legal reasons.

Sincerely,

Dennis Fox 918 Blossom St Bakersfield, CA 93306

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